

### **REMARKS**

Claims 1-46 remain pending. Claims 1 and 22 have been herein amended. Claims 47 and 48 were previously withdrawn. Claims 9-15 and 30-32 have been allowed by the Examiner. Applicants respectfully submit that no new matter has been added by this Reply. Accordingly, Claims 1-8, 16-29 and 33-46 are at issue.

### **Remarks Concerning Objections to the Specification**

On page 2 of the December 28, 2005 Office Action, the Examiner raised two objections to the specification portion of the present application. First, the Examiner found that the "Summary of the Invention" portion of the specification does not disclose the claim element "wherein communication according to the first protocol stack is processed before communication according to the second protocol stack". As suggested by the Examiner, the "Summary" portion of the specification has been herein amended to reflect the limitations of the claims, as amended. Applicants therefore respectfully request that the first objection to the specification be withdrawn.

Second, the Examiner objected to the specification "as failing to provide proper antecedent basis for the claims subject matter". Specifically, the Examiner requested that Applicants specifically identify the portion of the specification in which it is disclosed that, "communication according to the first protocol stack is processed before communication according to the second protocol stack". Applicants respectfully submit that Claims 1 and 22 have been herein amended to clarify that there are two protocol stacks, and messages are assigned to either one of those two stacks based on the type of the message. Messages on the first protocol stack have a higher priority than messages on the second protocol stack. Applicants also respectfully submit that that feature of the present invention is fully disclosed in the application as originally filed. On page 7, Applicants disclosed that:

"Alternatively, the TCP/IP stack 11 can be replaced by a dual TCP/IP stack. The dual TCP/IP stack comprises a first TCP/IP stack that provides support for a broad range of TCP/IP messages (related to the HTTP task 40 and the FTP task

41). A second TCP/IP stack, a 'smart stack', manages the high priority Modbus control messages (related to the control task 42). For outgoing TCP/IP messages, the TCP/IP message is intercepted and examined to determine its type. If the incoming message is a Modbus control message, the message is then delivered to the 'smart stack.' If the incoming message is not a Modbus control message, the first TCP/IP stack handles the message. In this manner, Modbus TCP/IP control messages are managed more quickly and efficiently than a non-Modbus control message managed by the single TCP/IP stack."

Applicants respectfully submit that the application as originally filed fully and adequately provides an antecedent basis for the limitations of the claims. Applicants thus respectfully request that the second objection to the specification be withdrawn.

As explained in prior communications, notably the Reply to the April 20, 2005 Office Action, none of the prior art cited by the Examiner, either alone or in combination, discloses or suggests two protocol stacks. None of the prior art discloses or suggests assigning messages to a first or second stack. None of the prior art discloses or suggests assigning a higher priority to messages on a first protocol stack than to messages on a second protocol stack. Those features of the present invention are fully disclosed and supported by the specification, and are not disclosed or suggested by the prior art. Claims 1 and 22 include those limitations, and are therefore both supported by the application as originally filed, and are patentable over the prior art.

Claims 2-8 and 16-21 are dependent on Claim 1. Claims 23-29 and 33-46 are dependent on Claim 22. Because Claims 1 and 22 are patentable over the prior art, those dependent claims are patentable for the same reasons. Applicants respectfully submit that all of the claims of the present application are adequately supported by the application as originally filed and are patentable over the prior art. Applicants thus respectfully request that the objection to the specification be withdrawn the claims allowed to issue.

#### **Remarks Concerning Objections to the Abstract**

On page 2 of the December 28, 2005 Office Action, the Examiner objected to the "Abstract" portion of the application. The Abstract has been herein amended, to clarify the

patentable features of the present invention. Applicants respectfully submit that the Abstract, as amended, properly and adequately summarizes the invention and its features that are new in the art. Applicants therefore respectfully request that the objection to the abstract be withdrawn.

#### **Remarks Concerning Objections to the Drawings**

On page 3 of the December 28, 2005 Office Action, the Examiner objected to the drawings under 37 C.F.R. § 1.83(a). Specifically, the Examiner found that the drawings as originally filed do not show the features "wherein communication according to the first protocol stack is processed before communication according to the second protocol stack" and "dual TCP/IP stack". Submitted herewith are Replacement Figures 2 and 4, which adequately and properly illustrate those claimed features. Applicants therefore respectfully request that the objection to the drawings also be withdrawn.

#### **CONCLUSION**

In light of the remarks made herein, Applicants respectfully submit that Claims 1-8, 16-29 and 33-46 are also in condition for allowance. Applicants respectfully request that the Examiner withdraw the objections and allow the claims to issue. If it may be of assistance to contact the undersigned attorney regarding the present invention, the Examiner is invited to do so. The Commissioner is hereby authorized to charge Deposit Account No. 23-0280 in connection with any fees associated herewith.

Application No.: 09/738,433  
Attorney Docket No.: SAA-35-1 (402 P 250)  
Reply to Office Action of December 28, 2005

Respectfully submitted,

Dated: March 28, 2006

By:

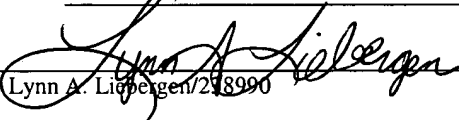


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I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service, with first class postage prepaid, in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 28, 2006

  
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